

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANDREW WALTER MILLER,)	
Plaintiff,)	
)	
vs.)	Civil Action No. 16-924
)	Judge Nora Barry Fischer
THE COMMONWEALTH OF PENNSYLVANIA,)	Magistrate Judge Mitchell
Defendant.)	

ORDER

AND NOW, this 25th day of August, 2016, after the plaintiff, Andrew Walter Miller, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge recommending that the motion for leave to proceed in forma pauperis be denied pursuant to 28 U.S.C. § 1915(e)(2)(B)(i), and after the plaintiff was granted a period of time after being served with a copy to file written objections thereto, and upon consideration of the supplements filed by the plaintiff and upon independent review of the Magistrate Judge's Report and Recommendation (ECF No. 4), which is adopted as the opinion of this Court,

IT IS ORDERED that plaintiff's motion for leave to proceed in forma pauperis (ECF No. 3) is denied pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) and the Clerk of Court is directed to mark this case closed. Plaintiff's motion to get \$75,000.00 in case back (ECF No. 5) is denied as moot.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.

s/Nora Barry Fischer
Nora Barry Fischer
United States District Judge

cc: Andrew Walter Miller
530 Evans Avenue, 2nd Floor Apt.
McKeesport, PA 15131